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It has been increasingly evident that significant numbers of students are profoundly dissatisfied with the status quo, on as well as off the campus, and many of them are ready to use force and violence to change it. In some instances student activists want more participation in decision making, and in others they seek complete control. The organized black students generally use power tactics to gain concessions for themselves rather than to effect drastic alterations in college structure and function. Despite the ends sought by these various groups and although most of them use confrontation tactics, some of the protest reflects legitimate concerns. Instead of adopting an authoritarian posture, it would seem more sensible to acknowledge the presence of student activists, keep their protest within reasonable bounds, and take a hard look at what forms of "participatory democracy" are compatible with the institution's central purpose. For whatever the nature and purposes of the university may be, order on the campus is a necessity, and responsibility for maintaining it must be shared by all members of the campus community. Institutions should be prepared to make functional and structural changes, but it should be emphasized that they exist to serve the larger society rather than to further demands of the moment on their campuses. The kind and degree of participation should depend upon individual capability and performance. (WM)

PROTEST POLITICS AND CAMPUS REFORM

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I

Not long ago, while reading a university history, I was amused to reflect on some contrasts between 1868 and 1968. A century ago, when *in loco parentis* was the prevailing doctrine, institutions made demands on students; today, it is the students who are making demands on institutions. In that era, college attendance was regarded as a privilege, and students were forbidden to smoke on the campus, indulge in intoxicating drinks at any time, display noisy or disorderly conduct in or about university buildings, and even to leave town without permission of the president.

Sixty years later, a similar climate of opinion still prevailed, as is attested by the following court decision concerning a student expulsion:

> Attendance at the university is a privilege and not a right. In order to safeguard those ideals of scholarship and that moral atmosphere which are the very purpose of its founding and maintenance, the university reserves the right and the student concedes to the university the right to require the withdrawal of any student at any time for any reason deemed sufficient for it, and no reason for requiring such withdrawal need be given.[1]

Since 1928, higher educational opportunity has come to be widely regarded as a right rather than a privilege, however, and several lawyers tell me that no informed judge today would likely render such a decision. Even so, there still are colleges and universities carrying catalogue statements very much like this one:

> All students are expected to conduct themselves in a manner becoming scholars and ladies and gentlemen. The University reserves the right at any time to suspend or dismiss a student whose conduct or academic standing is in its judgment unsatisfactory.

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[1] *Anthony v. Syracuse University*, 231 N.Y.S. 435, 438 (App. Div. 1928).

In an era of tumultuous change, my advice to catalogue makers is to get rid of such old-fashioned notions about student behavior and face the realities of life on the contemporary campus. Let me cite a case in point. This past spring, the provost of one of our most prestigious universities found that reliance on such a simple rule of conduct was of little help to him in confrontation with a militant student adversary. At that juncture on his campus the burning of the president's office still had not taken place, but the provost is reported to have said to a newspaper writer, "At some point, and I don't think that point is very far down the pike, the solution will be a man on horseback imposed by the public."[2]

The "man on horseback" allusion is a grim reminder of the crisis many of the nation's colleges and universities are undergoing, and of the backlash of public opinion and action in the making if universities are unable to put their houses of intellect in order and keep them that way. Should they prove unwilling or unable to do the job themselves, one can be certain that outsiders will do it for them.

In my judgment, it is less the alleged weakness of particular institutions or administrations that are under attack by radical minorities, than it is the basic idea of the university as we have known it. My purpose here is to examine the nature of student demands for change and to offer some opinions about what can be done to respond to them.

Let me begin with the malaise of youth, which many persons think underlies their restiveness. Numerous writers and speakers on the subject blame everything from too much parental reading of Dr. Spock to the war in Vietnam. Although some observers consider the educational establishment itself to be mainly at fault, interestingly, a survey of youth attitudes recently conducted by the Research Institute of America among 5,000 students throughout the country reached no such conclusion.[3] Responding to the question, "In your judgment what field of endeavor has made the most significant contribution to the cause of a better life in America for all?", the collegians' replies in percentages were: education, 56; religion, 11; government, 10; business, 7 . . . From these reactions, it appears that typical youthful dissatisfactions are centered much less on higher education than on other institutions.

However this may be, there is no blinking the fact that significant numbers of students are profoundly dissatisfied with the *status quo*, on as well as off the campus. More than this, many of them are out to change it, and some are ready to use force and violence to accomplish their desires.

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[2]Quoted in J. W. Anderson, "The Whys and Hows of Student Power," *The Washington Post*, June 30, 1968.

[3]The survey was made for the U. S. Chamber of Commerce.

Since 1964, dozens of American campuses have been the scenes of extreme disorder, and hundreds of students have been arrested. At a conference on Legal Aspects of Student-Institutional Relationships held in Denver last May, I noted that these episodes often erode the autonomy of institutions.

> If college and university communities are to continue to enjoy the freedom and independence historically accorded them, then it should be obvious that their members not only must have high standards of conduct but also must live up to them. When they fail to do so, and the police and courts are drawn upon to maintain order and settle disputes, then autonomy is already giving way to heteronomy—and the institution is indeed becoming a microcosm of the larger community."[4]

Neither a heedless authoritarian posture nor a crackdown with severe rules and regulations is, in my judgment, a proper response to extremism. Some persons argue that since nobody has to go to college, [illegible]less to a particular one, the non-conformists should be asked to leave. According to this line of reasoning, the same procedures administrators have long employed for dealing with other student "misbehavior," such as cheating and vandalism, should be applied to the current disorders. The crisis should be settled by prompt expulsion of the most troublesome individuals and no nonsense about it! These admonitions overlook the fact that some of the protest reflects legitimate concerns. Many of the instances of disorder are organized mass infractions, with faculty militants often lined up on the side of the students. Still other faculty persons may remain passive, yet sympathize with the activitists' motivations. The majority of the students are not, in most places, directly involved, but they too, as someone has said, "appear to be so morally disarmed before the militant minority, and so intellectually defenseless against its logic" as to be unwilling to support resistance.

Despite these campus complications, outside commentators are demanding firmhanded action. A right-wing newspaper columnist, James J. Kilpatrick, in an item entitled, "Permissiveness Gone Mad in the Universities,"[5] has called the trustees of Columbia University to task for "their spineless unwillingness to act at the very outset of the insurrection," and has asserted that "The student revolutionaries should have been warned, then arrested, then expelled, at their first defiance of University

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[4]"Campus Freedom and Order," to be published in the next issue of the *Denver Law Journal*.

[5]*The Washington Evening Star*, May 2, 1968.

rules. . . ." "The college administrators who have condoned, capitulated, and made concessions to student insubordination have asked for the chains on their doors," the columnist goes on in commenting on the handling of disorders on their campuses. Various newspapers throughout the country have editorialized in similar vein to the effect that academic authority needs to assert itself unmistakably and demonstrate to the demonstrators "who's the boss."

If administrators are to crack down with authoritarian measures, however, they certainly need legal counsel about the legitimate claims of students, the protection of citizens' rights afforded by the law, and the possibly adverse consequences to institutions of unduly arbitrary actions. My Denver paper stated that whereas most of our colleges and universities formerly used counsel and the courts largely in their related business transactions, it looks as if lawyers may become increasingly drawn into other areas of activity. It is evident, also, that alert administrative officers need guidance about the use of police for law enforcement on the campus. University legal scholars can and indeed must help the entire academic community by giving advice in these special areas.

Even though new schemes of university governance should, in many cases, be developed, and new purposes of academic enterprise taken into account, anarchy and chaos cannot be tolerated if our institutions are to survive and flourish. Whatever the nature and purposes of the university may be or become, order on the campus is a necessity, and responsibility for maintaining it must be shared by all members of the campus community.

The common elements of an internal system of campus order may be set forth as follows: fundamental principles related to the institution's educational philosophy; published rules and regulations; unambiguous rationale for dealing with violations; and clear-cut policy regarding sanctions. Incorporated within this system must be a shared responsibility, an observance of due process and the right to privacy, and an avoidance of arbitrariness.

The University of California and The University of Oregon are two examples of large, complex institutions that have recently made explicit their policies for dealing with such matters as I have mentioned. The California statement, Section II, Students and Student Organizations, Part A, Standard of Conduct, affirms that "A student enrolling in the University assumes an obligation to conduct himself in a manner compatible with the University's function as an educational institution. Misconduct for which students are subject to discipline falls into the

following categories"—and then the document specifies twelve of them, with instances under each category.

Pronouncements of legal scholars such as Robert B. McKay, William M. Beaney, and William Van Alstyne suggest that the nation's courts are likely to continue their reluctance to intervene in campus affairs. Although judges are admittedly less competent than university officials to regulate academic affairs, the courts undoubtedly will be called upon increasingly to deal with such issues as due process and equal protection under the law. Thus, to minimize impingements upon their autonomy—not to mention the need to reinforce internal desires for fair treatment—institutions must be concerned with justice as well as order.

Unlike the courts, however, colleges and universities are only incidentally concerned with order and justice. Order and justice are for them ancillary to the pursuit of truth and wisdom, and their chief objectives have to do with the education of the young. In terms of an egalitarian ethos, it may seem paradoxical, accordingly, that students have not in this country been customarily viewed as among those constituents who exercise any *de jure* and *de facto* power over institutions of higher learning. Legislators, private benefactors, trustees, administrators, and faculty have long been the acknowledged sources of authority, but not the students themselves. And this is what many of the student activists really want to change; whatever the surface issues may be.

As several observers of student activism have noted, recent protest politics on the campus often demand things beyond the power of a college or university to grant—*e.g.*, withdrawal from Vietnam. Other demands may have to do with matters under the control of the institution—admissions policies, social regulations, student aid grants, building locations, course offerings, faculty tenure considerations, and so on, including, even, investment policies. In some instances, the student activists want more student participation in decision making, and in others, they seek complete control.

The Students for a Democratic Society, for example, want to take over institutions completely. Their announced intent is to immobilize colleges and universities, get control of them, push aside existing social structures, and use educational institutions as vantage points for launching a social revolution. Campus confrontations over varying issues are viewed by them as mere episodes in a larger revolutionary movement, with concessions gained to be treated as steps along the way.

An extreme illustration of such objectives was set forth by student columnist Jim Rowen in the University of Wisconsin student newspaper, the *Daily Cardinal*, this past May:

> We should accept our responsibilities as concerned human beings and realize that we can . . . stop this university cold, close it down, and if it won't respond to our redirection, keep it closed for good. Universities that have lost all reason to exist are being closed by their students. Wisconsin is one of these purposeless institutions that has no legitimate basis for continuing. Its students should begin now to plan how and when to shut down the present University of Wisconsin, and with the great problems of the day in mind, plan to construct a meaningful University.

During the Columbia uprising, a self-appointed student leader, Mark Rudd, in an open letter to President Grayson Kirk, struck a similar note: "If we win, we will take control of your world, your corporation, your university, and attempt to mold a world in which we and other people can live as human beings. Your power is directly threatened, since we will have to destroy that power before we take over."[6]

Less sweeping is the view expressed several months ago by Edward Schwartz, president of the U. S. National Student Association, at a meeting of the Education Writers Association. Instead of a complete "take over," Schwartz asserted, "I want to build student control over our own affairs, over our own governments, our social rules, organizations so that students can learn how to deal with their own interests in a democratic environment."[7]

Still another expression of student desires for more "participatory democracy" is found in a magazine article written by a student editor of Harvard's undergraduate newspaper. *Crimson* editor Kramer makes no bones about wanting real power.[8] To get it, he holds, force is justified as a tactic, if for no other reason than that it works. "The typical university," he contends, "is only slightly more democratic than the Army, if less unpleasant." Although acknowledging that the activists are not entirely clear about how universities ought to be run, he feels strongly that students should be included on boards of trustees, have the right to compel

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[6]Quoted in John Mathews, "We May Be the Last Generation," *Washington Sunday Star*, June 2, 1968, p. 12.

[7]"Student Leader Gives Higher Education 'Agenda'," *The Chronicle of Higher Education*, May 11, 1968.

[8]"Does Student Power Mean: Rocking the Boat? Running the University?" *New York Times Magazine*, May 26, 1968.

their choice of course offerings, have some control of credit granting, have exclusive jurisdiction over social and extracurricular activities, and share equally with the faculty in academic policy making. He is less certain about whether university presidents would be improved as a breed if they were periodically elected by the students and faculty instead of being appointed by the trustees. Mincing no words about the need to keep pushing, however, he concludes, "Students have learned from history that blood must be shed on the way to the voting booth. They have learned from experience that rocking the boat and making headlines accomplish what could not have been done peacefully."

Between the "total take-over" advocates and those students who want simply to get their degrees as soon as possible and get out, there are not only many variations of opinion on the same issues but also completely disparate objectives. The majority of students, perhaps, favor more pass-fail courses, relaxed dormitory regulations, and an easing of the general competition, but they can hardly be counted on as ardent workers for either revolutionary or reformist causes. Students in scientific and professional schools are in the main too busy with curricular concerns. Congress has already moved—and I predict that this is merely a warm-up exercise relative to what may be expected from state legislatures—to discourage extreme activism among recipients of Federal aid. Moreover, many students remain indifferent to protest politics and could not care less about how colleges and universities are governed, so long as their private lives are relatively unaffected.

The organized Negro students—Afro-Americans, or Blacks, as they now call themselves—are in many respects a distinct category. Reversing the objections other ethnic minorities have long voiced against anything resembling a *numerus clausus* in admissions policies and other academic areas, the Blacks are usually quite specific in their demands for special consideration. They agitate for minimum quotas for their group in the student body, faculty, and staff, or want designated sums of financial aid set aside for Negro students, or push for courses to be given in African culture and history. In brief, they generally use power tactics to gain concessions for themselves rather than to effect drastic alterations in collegiate structure and function.

Despite the differences in means employed and ends sought by the various kinds of student activists, most of them do employ confrontation tactics and are demanding that students be heeded as well as heard in the governance of our colleges and universities. Their organized protests often ignore or minimize the fact that, in most institutions, student participation in academic governance is already a reality. When the fact of

participation is acknowledged, the complaint often turns to the content or extent of participation, and poses questions, as C. Peter Magrath has noted, whether the power is merely advisory or really structural, and whether it should extend beyond rules of social conduct to academic matters.

Moreover, student activists are often uninformed about how their colleges and universities are now governed. Preliminary tabulation of the results of a questionnaire the American Council on Education recently used to get information on student participation, activism, and protest indicates that more than 95 percent of the colleges and universities sampled already have a popularly elected student government. Only 16 percent of the reporting institutions state that neither students nor faculty have been very influential in setting policies.

In an address before The University of Illinois Law School several months ago,[9] Edward J. Bloustein stated, "Student activists as well as apologists and defenders of the traditional order are both mistaken about the character of the constitutional revolution in academia. The activists, whether out of ignorance or assumed tactical necessity, conjure up images of the college more appropriate 100 years ago, than today, and they urge political tactics as mistaken as their image of the college." As Mr. Bloustein goes on correctly to point out, trustees and presidents long ago abandoned in fact, if not in law, any pretensions of absolute power. While being committed by their duties to the maintenance of order, they are probably as open-minded as any other members of the larger academic community on the matter of needed changes.

Trustees and administrators, however, are charged with specific responsibilities regarding institutions, for, as Associate Justice Abe Fortas has recently stated, "Campus and universities facilities are public facilities; but public use does not authorize either the general public or the university faculty and students to use them in a way which subverts their purpose and prevents their intended use by others."[10]

In view of the polarization currently being intensified as a result of confrontations, it seems obvious that the unity and integrity of the academic enterprise is in danger of being hopelessly fragmented, perhaps, even destroyed—unless satisfactory means for the resolution of conflict are promptly developed and put into effect. *Science* magazine recently published a statement from a group of Fellows at the Center for Advanced

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[9]"The New Student and His Role in American Colleges," May 9, 1968, unpublished paper.

[10]*Concerning Dissent and Civil Disobedience*, Signet Books, 1968.

Study in the Behavioral Sciences.[11] These behavioral scientists pointed to the growing number and intensity of campus demonstrations as evidence that "we do not understand how best to deal with these crises when they occur and certainly do not have the knowledge to prevent them from occurring in the first place." "The history of student demonstrations," they suggest, "shows that communication by crisis represents a crisis in communication." Although student unrest is nothing new, the basic questioning of the legitimacy of adult authority is novel, and "minority but active faculty support" as "an important adjunct in student unrest" does complicate the problems. The authors of the *Science* article stress that

> The dynamics of protest itself need to be examined and understood. How does a handful of students enlist an increasing number of students and faculty in the sequence of events that occur during a student protest? Who stays and who leaves during the sequence of events in a campus crisis? In what way does the response by faculty, by administrators, and by the rest of the student body influence the process?

Some of my academic acquaintances tend to soft-pedal the violent and destructive aspects of extremism and even consider the terms *dealing with* and *preventing* student protest as being essentially repressive. To safeguard our institutions as centers of free inquiry and open debate, however, I think we must define destructive behavior as undesirable and intolerable. Although the maintenance of order may not get at some of the underlying problems, I think our most urgent business must be attneded to first. To use a simplified analogy, if our house is in flames the job immediately at hand is to put out the fire. The next task is to find out what caused it and ensure against its happening again.

Our long-range problem, nonetheless, is admittedly one of "fire prevention." Social scientists, including legal scholars, will, I hope, address themselves to the kinds of questions that will lead to a better understanding of student protest and develop guidelines for constructive action. The American Council on Education has collected an extensive file of published materials on campus disorders during the last three or four years. Our first thought was that it might be useful to do a series of case studies based largely on accounts obtained from newspaper coverage. More intensive inquiry revealed, however, that press reporting of incidents

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[11] "Student Protests: A Phenomenon for Behavioral Sciences Research," Vol. 161, July 3, 1968.

was often seriously inaccurate, incomplete, or distorted. I would therefore caution investigators of the dynamics of protest that getting at the full facts about events may be no less difficult than trying to analyze and interpret the events.

II

I shall turn now, in the second part of my remarks, from student demands for change to a consideration of what can be done to respond to such demands. To begin, it should be noted that colleges and universities are more adaptive than their critics would have us believe, else they would not have endured as institutions. Even more than the churches and the courts, to mention two other long-lived institutions, for example, they have displayed unusual ingenuity in accommodating continuity and change.

The American system of higher education is not only more varied in its forms of support and control than the system of any other nation, but also more diversified in purposes and programs. One would think that somewhere among the 2,300 or more duly chartered institutions of higher education, every legitimate student need could be met without any impetus for radical reform or revolution, but such apparently is not the case. Despite the mushrooming of new intitutions in conventional ways, within the last few years unconventional ways have been employed by dissident students and others to form upwards of 150 so-called "free universities." These anomalies—about 40 of which incorporate the word *free* in their titles—are themselves manifestations, of course, of protest against the *status quo* in higher education.

According to information a Council staff member has gathered, 8 of the schools are sponsored by parent colleges or universities, with special credit-bearing programs. Six institutions permit student-operated courses, but with no sponsorship of a free university or experimental college. About 16 might be classified as special residential colleges, sponsored by established institutions, with degree-granting authority.

In looking through materials about these novel ventures, I was interested to note that one president used the device of taking militant student leaders into camp by personally conducting a seminar entitled "Opportunities and Hurdles in the Administration of the Small College."

Although the range of substantive offerings in experimental programs under the aegis of established institution tends in the main to be interdisciplinary in content and not too far from conventional offerings in character, those completely under student control are often quite different.

For those enrollees who may feel frustrated or repressed, such course offerings as the following are listed in various free university brochures: "What is Happiness?", "Love, Loneliness and Society," "Exploring New Forms of Sexual Relationships," "Share and Tell," "An Eye Opener," "Advanced Group Relaxation," "Advanced Group Loving," and "Yes."

For still another sector of student dissidents there undoubtedly is a practical appeal in the following courses culled from recent listings: "Reforming the Draft: Issues and Alternatives," "Practical Politics," "Propaganda Production," "Underground Journalism," "Karate," "Seminar in Guerilla Warfare," "Culture Against Man," and "Survival in Prison and Other Total Institutions."

As contrasted to traditional institutions, student-operated free universities undoubtedly possess three enticing aspects: the curriculum can be anything desired, no testing is necessary, and no grades are given. Moreover, since most of the knowedge they disseminate makes no pretensions of being marketable, their adherents can ignore any equivalent of an academic gold standard, and can disdain all forms of accreditation and certification. (To make an impertinent side remark here, I may say when certain of my academic friends finally get around to founding what they jokingly refer to as The Ideally Bad University of Northern Tasmania, I am going to recommend that they make a close study of what has happened in and to "free universities.")

Because the student-conducted schools have thus far not proved to be widely acceptable substitutes for more conventional institutions, it seems clear that these hybrid developments do not comprise a solution to demands for change. Although it would be easier to ask the malcontents to go off and found their own schools, it probably is more sensible to acknowledge their presence, keep their protest within reasonable bounds, and take a hard look at what forms of "participatory democracy" are compatible with the university's central purpose.

Lest it be thought that student demands for more participation will simply "go away" eventually if administrators ignore them, let me cite the opinions of a random sample of 100 college and university presidents. The American Council on Education circulated a questionnaire to ascertain what a selected group of individuals think the decade of the 1970s is *likely* to bring in educational developments, and what they think *should* and *should not* happen. (The full results of this study will be reported in October 1968 at the ACE Annual Meeting.) As to the changing roles of students, 88% of the administrators expect that college and university students will, on an even wider scale, use direct-action methods to assert their demands for changed conditions, and 90% of them foresee students

serving as voting members on most important academic committees on the typical campus. Only 9% of the officials regard student activism as being desirable and only 1% see it as being essential. Only a minority, nevertheless, view unfavorably the prospective participation of students as voting members of important policy committees.

Since the expectations of college and university presidents are probably as reasonable and realistic as can be had from any other group of forecasters, it seems to me advisable for institutions to prepare themselves for prospective functional and structural changes within the foreseeable future.

A good way to begin any serious consideration of what *should* be changed about the function and structure of a college or university is to examine its reason for being. As a leading scholar in the field of higher education, W. H. Cowley, has stated:

> "Why have institutions of higher education been established and by whom?" The answer seems clearly to be, first, they have been organized to disseminate and advance socially beneficial knowledge, skills, and attitudes; and second, that civil governments have created them for the good of the general community. They have not been founded for the sole or even the primary benefit of professors, students, trustees, or all of them taken together, but, instead, for the benefit of society at large. Hence, in all countries civil government, the most inclusive agency of society, retains the right to set them in motion and, further, to require that their governing boards represent the public interest.[12]

Even though exceptions to Dr. Cowley's generalization come to mind, no single constituency of an institution is likely to be able to transform it in ways that are inconsistent with its chartered purpose or contrary to the public interest. It is doubtful, furthermore, that functions and structures evolved over a long period of time can or should be altered too abruptly.

Colleges and universities are the way they are, not because of any conspiracy on the part of the establishment, but because their policies and procedures have in the main been developed through a slow process of trial and error, and tested by experience. This does not imply that accepted practices are sacrosanct, nor does it mean that they are all still relevant to current needs.

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[12]"Some Myths about Professors, Presidents, and Trustees," *Teachers College Record*, November, 1962, pp. 164-165.

Despite the notable longevity of academic institutions, they can languish for want of support or be mutilated beyond recognition. In an address given at Michigan State University a few month ago, I singled out some misconceptions of the university that in my opinion are currently producing a good deal of the confusion and conflict.

The first of these mistaken notions is that the university should be a microcosm of the larger community. This view overlooks the fact that an educational institution is a special- and not a general-purpose community. Unlike a political democracy where the major issues may be decided on a one-man, one-vote basis, and where the franchise is bestowed on nearly all as a matter of right, higher education is something an individual can acquire only by dint of his own aptitude and effort. It cannot be bestowed as a "right" or wrested away from others and divided up equally as a privilege. The typical college or university is also a heavily subsidized enterprise and those who support it, whether they be taxpayers or private benefactors, expect the trustees to discharge rather than disavow their stated responsibilities. The authority of the faculty stems from the presumption that they are men of learning and professionals who are capable of performing certain tasks for which students are unqualified. Depending upon their offices and their individual capabilities, administrators are facilitators, mediators, caretakers, leaders, or scapegoats. Although students are the most numerous participants in the whole endeavor and the principal beneficiaries of the enterprise, insofar as the corporate body of the institution is concerned they play subordinate roles. This is in part also true of the alumni, who, if one wants to be serious about full-fledged "participatory democracy," are even more numerous potential copartners than the students.

Regarding the university as either a political action or general welfare agency is also in my opinion an erroneous conception. For an institution of higher education to be able to pursue and disseminate truth by focusing on gaining, sharing, and using knowledge, it must be insulated from, rather than enmeshed in, the daily concerns of the larger society. No university can succeed in being all things to all men, and even our most affluent institutions are already straining their resources. Distorting and unduly extending their purposes and programs inevitably will diminish their effectiveness.

As Sidney Hook has mentioned in various commentaries, if universities become partisans on divisive social issues, their basic educational purposes will be splintered. No matter how exalted the causes, when universities become primarily action agencies, they will lose their autonomy, imperil their objectivity, and subject themselves to retaliations

in the form of severe restrictions on freedom by the society that now supports them. One has only to look at what has happened to many universities in Latin America or at institutions in totalitarian nations to see the consequences of continuous embroilment in or subjection to politics.

Another misconceived notion is that the university is a kind of secular sanctuary or retreat for a privileged category of individuals—professors as well as students—who should have many rights but few responsibilities. Under this misconception, academic freedom is subverted to give license not only for obnoxious forms of individual behavior but also for interference with the rights of others. The campus should, of all places, be the one most open to divergent ideas, because criticism and dissent are among the most useful services performed by institutions of higher education for the larger community. I agree with Dr. Hook, however, that true academic freedom will be the first casualty of successful revolution. I share his concern about those faculty and others who do not condemn student violence at the same time they condemn the use of authorized force to stop it.

A fourth mistaken idea of the university would turn it into an arena. The politest version of this misconception would be a perpetual debating society in which nothing but endless argument takes place. Another version is the lining up as adversaries of students, faculty, staff, administrative officials, trustees, alumni, legislators, benefactors, and others to confront one another as separate power groups jockeying for control of the total enterprise. A partnership approach to the solution of common problems would give way to covert as well as overt bargaining for position. In its most extreme form, the arena idea not only tolerates power blocs but also encourages their open conflict, in which the aim is not to share with others in the achievement of collective as well as individual goals, but to treat others as opponents or enemies to be forced out of any real influence.

Not even the revolutionaries have considered eliminating the faculty, to be sure, but administrators and trustees would for the most part be relegated to minor roles. One institutional head reports, for instance, that in a recent open meeting at his institution a rather hysterical student said to him: "This university is faculty and students and we need you for only one thing—to get money. You and the deans should have no say in education. You administrators get in the way. . ."[13]

[13]From the manuscript of an unpublished speech, "Creativity and Conformity in Academic Administration," by President John R. Everett, New School for Social Research, given at Texas A & M University, July 15, 1968.

This naive student view ignores the fact that the university's varied constituencies have divergent views of purposes that often "push and pull in different directions."[14] The university's multiple principles of authority and its complex power structure render governance difficult, of course, but make coordination even more necessary than in the traditional collegial forms of government that are now wholly unsuited for the size and complexity of many institutions.

If the multiversity is not become a nonuniversity, trustees and administrators are needed for functions other than just raising money. Strong leadership becomes the more necessary to give coherence to an institution where opinions about purposes are "wide ranging, diverse, and contradictory." Even though the conception of the university as a "loose collection of hostile sub-groups" is undoubtedly exaggerated, the organization is, as Burton Clark has said, "conflict-prone." In view of the growing numbers of individuals to be accommodated and the varied purposes to be realized, increased differentiation and specialization of function cannot be simply wished away and a simple kind of community established where everybody does everybody else's washing. If faculty and students alike are to become preoccupied with the conduct of a wide range of campus affairs, one can foresee correspondingly diminished outcomes for formal teaching and learning. Somebody with a more detached perspective, moreover, must determine priorities of effort and coordinate the whole endeavor in what necessarily will continue to be a division of labor.

Even though some circumstances cannot be altered and some trends cannot be changed, important adjustments are undoubtedly called for. As we consider possible modifications in function and structure, we should weigh their feasibility or infeasibility, acceptability or unacceptability, and desirability or undesirability. And our decisions, I would urge, should not be reached as a response to the most strident demands of the moment but made according to what is best for higher education in the service of mankind.

Fred Hechinger has perhaps overstated matters in asserting that "What makes the universities so vulnerable is that neither the administrations nor the faculties, except in a crisis, have given priority to updating the universities' governmental structure."[15] It is true, nonetheless, that in

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[14]See Burton R. Clark, "The New University," *American Behavioral Scientist*, Vol. XI: No. 5, May-June, 1968.

[15]See his article, "Pressure for Change from a Generation in Revolt," *The New York Times*, May 6, 1968.

many institutions the lines of authority and the processes of governance are confused. Terry Lunsford refers to a classic statement of this, as described in the *Byrne Report* on the University of California at Berkeley, an institution in which Lunsford, incidentally, considers governance to be well-advanced:

> In some areas the [Academic] Senate is a legislative body making basic policy, which the administration then carries out. In other areas, the administration makes basic policy, and the responsibility for implementing it is left to faculty committees, either appointed by the administration, appointed by the administration with the advice of the Senate, or appointed by the Senate itself. In still other areas, the administration makes policy and also attends to the problems of implementing it.[16]

In many other institutions, as at Berkeley, decision making and implementation are obviously not a unitary process, and perhaps should not be, but one task in the reform of university governance is to make as clear and unmistakable as possible the lines of responsibility and authority. Insofar as faculty and staff involvements are not identical with those of students, Martin Trow has pointed out that the faculty cannot move in and out of intervention in student affairs and at the same time refuse to take a major role in day-to-day administration; for them to do so would merely allow the student activists to see them as a part-time and not wholly dependable ally against the administration.[17] Referring to the Report of the Study Commission on University Governance at Berkeley, Trow sets forth ways for attaining a much higher level of faculty as well as student participation in governance, as differentiated from merely seizing more power.

A recent memorandum from the New York University Law School[18] in a section on student participation in the decision-making process recommends that, "As constituents of the academic community students must be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. There must be clearly defined means for student participation in the

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[16] "Authority and Ideology in the Administered University," *American Behavioral Scientist*, Vol. XI, May-June 1968.

[17] "Conceptions of the University: The Case of Berkeley," *American Behavioral Scientist*, Vol. XI, May-June 1968.

[18] "Student Conduct and Discipline Proceedings in a University Setting," Mimeographed document dated May 31, 1968.

formulation and application of institutional policy affecting academic and student affairs."

The New York University Memorandum goes on to set forth some guidelines:

1. The role of student government should be made explicit, and actions within its jurisdiction should be final to the maximum extent possible. Moreover, ways must be found to increase student interest and participation in their own government.

2. Where the university acts as landlord, students should ordinarily have final authority to make all decisions affecting their personal life, including the imposition of sanctions for violations of stated norms of conduct.

3. In the area of educational policy, professional judgment is obviously relevant, and here students are relatively disadvantaged by their lack of experience and continuity of service. Even so, responsible student advice should be sought to improve the quality of educational policy decisions, particularly in using improved means for evaluation of the educational program.

The memorandum quotes with approval, a section of the Berkeley Study Commission on University Governance already cited in the Trow commentary:

> Incorporating students into academic policy making is essential if today's large university is to create an environment which more successfully promotes the realization of its still unfilled educational ideals. The preeminent argument for achieving greater student participation in the shaping of educational policy thus springs from our long-range educational ambitions and our apprehensions about the wide gap presently separating our educational performance from the desirable goals of deeply involving students in the direction of their education.

Among the devices the New York University Law School group recommends for increasing student participation in decision making are the following: increased autonomy of student organizations; faculty-student committees to consider policy questions relating to student life; students as members of standing and special committees concerned with curricular questions; designation of a faculty ombudsman to hear and investigate complaints; careful attention to student questionnaires for faculty evaluation surveys.

A member of the Washington office staff of the American Association of University Professors, Louis Joughin, has pointed out that few

institutions regularly and systematically search out the reactions of students.[19] Dr. Joughin believes that students not only should be consulted, but also should have membership on committees, task forces, and liaison agencies at all levels. He mentions that the University of Kentucky now has two faculty members, plus a non-voting student, on its Board of Trustees, and that in Canada one-third of all the academic senates have student members. It is his opinion that the area of exclusive authority for students in decision making will remain narrow because most institutional operations are so involved that the voice of a single element in the community is not adequate. Conceding that students as consumers should be able to indicate their preferences, he believes that the criterion to be applied for determining their actual participation in decision making should be in terms of functional utility rather than of absolute right. In brief, if they lack the experience to exercise informed judgment, they should not vote, but if they do have it, it "would be folly to reject their help."

A more conservative view of student participation has been expressed by John R. McDonough, professor of law, Stanford University, in his article, "The Role of Students in Governing the University."[20] Professor McDonough believes that student demands initially for "a voice" would soon be followed, if granted, by demands for something approaching equal representation in policy decisions. There is no duty to accede to these demands, he says, merely because they are being made. The basic questions are: What changes ought to be made? What qualifications, if any, do students have for improving the decision-making process? Are even the ablest of them "adequately equipped in terms of education, experience, or maturity to decide difficult questions of university policy?" If more student voice is claimed as a "democratic right," a valid reason must be advanced for thinking that a university community is really analogous to a civic community.

In Professor McDonough's opinion, "the student's power to decide is essentially the patron's or consumer's traditional power to exert leverage upon any enterprise—that is, his power to decide initially to go elsewhere or to decide to discontinue his patronage if and when he becomes dissatisfied with what the enterprise has to offer." He draws the analogies that we do not let patients manage hospitals, clients manage law firms, or passengers manage airlines. In acknowledging that more student

[19]His paper, "The Role of the Student in College and University Government," was given in Los Angeles on May 22, 1968, and is in mimeographed form.

[20]Association of Governing Boards of Universities and Colleges, *AGB Reports*, Vol. 10, No. 7, April 1968, Washington, D.C.

participation may be indicated, he draws the distinction between "the right to participate in the making of decisions and the right to be heard before important decisions are taken by duly-constituted decision-making bodies," and in general recommends the latter as a more sensible form of student involvement. Implicating students in all decision-making processes would, he believes, unnecessarily complicate the whole business because students often give a greater urgency to problems than they intrinsically warrant, and demand immediate action. Other complications arise from short student tenure, their lack of experience and judgment, and the fact that they do not have to live with their decisions. If students are to be included among the most important academic decision-making bodies, he thinks it should be as advisory rather than as voting members, and that each committee or other group should be left to decide for itself whether it wishes to involve students, and in what way. In brief, he concludes that students, among others, have the right to be heard, but not the right to decide in matters vitally affecting the welfare of the university.

Although I personally favor new and extended forms of student and faculty participation in order to harmonize energies that are now being wasted in unproductive confrontations, I believe we must adhere to the principle that colleges and universities exist to serve the larger society rather than to further the demands of the moment on our campuses. Undue concessions would cause the quality and significance of academic enterprise to deteriorate, and would weaken the fabric of a total endeavor that is increasingly indispensable to the survival and well being of our society. We can ill afford to divert large amounts of time and energy from teaching, study, and research to the futile effort of trying to conduct large and complex institutions on an unending town meeting basis.

Edward J. Bloustein offers a futher view:[21] "In the long run, no institution can remain sufficiently responsive to those it serves, however well-managed, unless it is responsible to them. And it can only be responsible to them if they share, in one way or another, in the ultimate disposition and control of power."

The pluralism and diversity of American higher education already exemplify many ways of disposing and controlling power, and doubtless can be accommodated to yet untried schemes. A scheme that works well and pleases the majority on one campus, however, might prove to be an institutional disaster on another. Enthusiasts for more participatory democracy everywhere certainly need to bear in mind this possibility, and also to remember that a majority of the students and faculty in most

[21] *Supra* note 9.

colleges and universities are neither willing nor ready to preoccupy themselves with campus politics. Enlightened self-interest informs them that a sensible division of labor in the academic community enhances the freedom and productivity of all its members.

Structure, as the social scientists have demonstrated, must relate directly to function. In this context, perhaps a latter-day fable is in order, and I shall recount briefly a psychological experiment conducted some years ago at the Massachusetts Institute of Technology. The experimenter was trying to find out the effect of different kinds of social organization on performance. He devised a series of laboratory experiments to contrast polar types of organizational patterns. One was circular, or very democratic. The other was pyramidal, or less democratic. The two groups were given the same problems and told to solve them by exchanging messages. The outcome was that the group in the circular pattern was happier but less efficient than the pyramidal group.

For academic institutions, the meaning of the social organization parable should be clear—their structures must be congruous with their functions. Since the basic objectives of colleges and universities are to advance learning and pursue the truth, the roles of members of any institution of higher learning necessarily must be incidental to their individual participation in the collective endeavor. The academic community, unlike the large polity, is a special-purpose environment where the kind and degree of participation depends heavily upon individual capability and performance. Although access to educational opportunity should be open to all who can benefit from it, continued presence on the campus of those persons who are unwilling or unable to meet their responsibilities should not be tolerated. The placation of nihilistic or revolutionary demands for change cannot be made a dominant motif in institutional reform, moreover, if colleges and universities are to uphold their integrity of purpose. Instead, the reform and improvement of institutions of higher education must be guided by the desire to enhance their services as the main civilizing agencies of our time.